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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/219,890	12/24/98	MORIKAWA	H 0557-4557-2
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EXAMINER

ART UNIT	PAPER NUMBER
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2173
DATE MAILED:

08/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/219,890

Applicant(s)

MORIKAWA, HIROSHI

Examiner

Sy D Luu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. By merely describing a process, the claims fail to meet the standard format of claiming convention which should include matters such as a method with steps, an apparatus or an article of manufacture. The examiner will interpret claims 1-10 in light of the specification. However, appropriate corrections are required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al. ("Wilson", US # 5,467,170).

Art Unit: 2173

As per independent claim 1, Wilson teaches an image forming apparatus having an operation unit (fig. 3, *operator control panel OCP*) for executing at least a part of various functions relating to image formation hierarchically by switching a screen (figs. 5-8, col. 5, lines 22-33; *an example of a hierarchy of screens are shown as the user navigate through the menu*), the operation unit comprising items representative of said various functions are displayed on said screen while being classified and divided from each other (fig. 3; *functions shown as being grouped and displayed separately from each other*).

As per claim 2, which is dependent on claim 1, Wilson teaches said screen to include at least an area for reading image data (fig. 3, *the area within the Job Setup Display (JSUD) shown above the job feature buttons "original -> copy", "collate", and "paper supply"*) and an area for setting conditions relating to image data (fig. 3, *the area within the Job Setup Display (JSUD) shown above the job feature buttons "copy quality", "enlarge/reduce", and "zoom"*).

As per claim 3, which is dependent on claim 2, Wilson teaches details of the functions belong to each of said areas are displayed in said area together with other functions (fig. 3; *for example, various pre-set modes of the "enlarge/reduce" function are shown in its respective area for setting conditions together with other functions in the same area*).

As per claim 4, which is dependent on claim 4, Wilson teaches said screen to include an area assigned to finishing, to be executed after image formation (fig. 3, *the area within the Job Setup Display (JSUD) shown above the job feature buttons "copy exit", and "staple"*).

Claims 5-10 are similar in scope to claims 3, 2, 3, 4, 3 and 3 respectively, and are therefore rejected under similar rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tsutsumi et al. (US # 5,012,280) teaches an operating panel of a copying apparatus including an operation mode for setting a function selected from a plurality of functions of the copying apparatus.

Kimoto et al. (US # 5,390,005) teaches an operation-panel-indicating method for a copying machine..

Bunker et al. (US # 5,061,958) teaches a reprographic system of the type having a set of features available for use in executing a copying job, and a user interface suitable for displaying the available features and the ability to execute the copying job in accordance with the pre-selected set of desired features.


Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 6:30 am to 4:00 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116.

The fax number for the organization where this application or proceeding is assigned is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.


Sy D. Luu
Patent Examiner
August 27, 2001